

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

AUSTIN RAY COLSON,

Plaintiff,

v.

CITY OF SAN MARCOS, TEXAS, et al.,

Defendants.

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1:23-CV-450-RP

ORDER

On May 18, 2023, Defendant City of San Marcos, Texas (“San Marcos”) filed a motion to dismiss. (Dkt. 4). Plaintiff Austin Ray Colson (“Colson”) response to the motion to dismiss is past due. *See* W.D. Tex. Loc. R. CV-7(d). The Local Rules empower the Court to grant motions as unopposed when no response is timely filed. *Id.*

IT IS ORDERED that Colson (1) shall show cause in writing on or before **June 20, 2023**, as to why the Court should not grant San Marcos’s motion to dismiss as unopposed or, alternatively, (2) Colson shall file a response to San Marcos’s motion to dismiss on or before **June 20, 2023**. Failure to do so may result in the dismissal of Colson’s claims against San Marcos. *See* Fed. R. Civ. P. 41(b) (action may be dismissed for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order).

SIGNED on June 13, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE